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SLP(C)No. 8108 OF 2003
ITEM No.49

Court No.11

SECTION XI
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.8108/2003

(From the judgement and order dated 26/02/2003 in CMWP 47962/02
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

VEER PAL SINGH VAIDWAN

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(With prayer for interim relief)

Date : 08/09/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE BRIJESH KUMAR
HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)Petitioner-in-person.

For Respondent (s)Mr. V.K. Verma,Adv.
for Mr. Praveen Swarup,Adv.

UPON hearing counsel the Court made the following
O R D E R

The special leave petition is dismissed in terms of the signed order.

(A.S. BISHT)(KANWAL SINGH)
COURT MASTER

COURT MASTER

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO.8108 OF 2003

VEER PAL SINGH VAIDWAN

.....
APPELLANT(S)

:VERSUS:

UNION OF INDIA AND ORS.

.....

RESPONDENT(S)

O R D E R

Heard the petitioner appearing in person and the learned counsel appearing on behalf of the respondents. We have also perused the order passed by the High Court ultimately upholding the order, rejecting the request of the petitioner for withdrawal of his offer of voluntary retirement, in view of its prior acceptance.

The apprehension of the petitioner which has been expressed is that he may not be entitled to any pension since under Rule 48-A of the CCS (Pension) Rules, 1972, he would have been so entitled, had he been there in the Government service. This doubt is dispelled by the learned counsel appearing for the respondents and he submits that it is categorically indicated in the order accepting the resignation itself that the petitioner is permitted to retire voluntarily from Government service w.e.f. 16.3.2002, in terms of Rule 48-A of the CCS Rules. Learned counsel for the respondents also draws our attention to Annexure-P2,

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which is regarding payment of pension to absorbees in PSU/AB consequent upon conversion of a Government department into a CAB/PSU. Under these rules, particularly, as provided under Rule 8 of the CCS Rules it is indicated by the learned counsel for the respondents that the petitioner would be entitled for pension under Rule 8/21 of the Rules indicated above. It is also submitted by the learned counsel for the respondents that pension papers were even sent to the petitioner but they have not been returned after signing the same. The petitioner, it is submitted, is entitled for pension as aforesaid. The position stands clarified, we find no reason for the petitioner to be apprehensive at all.

The special leave petition is, therefore, dismissed with the observations made above.

.....J

(BRIJESH KUMAR)

.....J

(ARUN KUMAR)

NEW DELHI;

SEPTEMBER 8, 2003.